

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

IN RE: AUTOMOTIVE PARTS ANTITRUST LITIGATION	)	Master File No. 12-md-02311
	)	Honorable Marianne O. Battani
	)	
IN RE: AIR CONDITIONING SYSTEMS	)	
	)	
	)	
THIS RELATES TO:	)	
	)	
Direct Purchaser Actions	)	2:13-cv-02701-MOB-MKM
	)	

**STIPULATION AND ORDER AMENDING  
TIME TO RESPOND TO COMPLAINT**

So as to preserve both party and judicial resources, Direct Purchaser Plaintiffs (“Plaintiffs”), as well as all Defendants in *In re AC Systems Direct Purchaser Actions*, Case No. 2:13-cv-02701 (“Action”), stipulate to the following:

1. Counsel, on behalf of Defendants, accepts service of the Second Consolidated Amended Class Action Complaint (ECF No. 106) filed in this Action in satisfaction of the requirements of Fed. R. Civ. P. 4.
2. Unless otherwise modified by a case management order entered in this Action, Defendants shall, as permitted by Fed. R. Civ. P. 12, answer, move, or otherwise respond to the Second Consolidated Amended Class Action Complaint within sixty (60) days after the granting of this stipulation by this Court.
3. Plaintiffs’ Responses to Rule 12 Motions, if any, are due within sixty (60) days of the date the Rule 12 Motions are filed. Defendants’ Replies to Responses, if any, are due within forty-five (45) days of the date the Responses are filed.

4. All Motions, Responses, and Replies filed pursuant to this Stipulation are subject to the page limits set forth in the Court's Case Management Order entered on December 2, 2016, Case No. 12-md-2311 (ECF No. 1545).

5. Entry of this Stipulation shall not constitute a waiver of any defenses by Stipulating Defendants other than sufficiency of service, including but not limited to: (a) any jurisdictional defenses that may be available under Rule 12 of the Federal Rules of Civil Procedure; (b) any affirmative defenses under Rule 8 of the Federal Rules of Civil Procedure; or (c) any other statutory or common law defenses that may be available to Stipulating Defendants in this Action or any other related actions. Stipulating Defendants expressly reserve their right to raise any such defenses (or any other defense) in response to (a) the current Complaint or any amended and/or consolidated complaint that may be filed on behalf of any direct purchaser plaintiff and/or (b) any complaint that may be filed in any related action. This Stipulation is not intended to change the provisions of Fed. R. Civ. P. 12(b) requiring the filing of Motions to Dismiss before responsive pleadings.

6. Entry of this Stipulation shall confirm that *Tiffin Motor Homes, Inc. v. Sanden Corp.*, Case No. 2:17-cv-12540, has been consolidated under this Action (Case No. 2:13-cv-02701), and that Defendants do not need to respond to the complaints filed in the original actions, including the complaint filed in Case No. 2:17-cv-12540.

**IT IS SO ORDERED.**

Date: September 10, 2018

s/Marianne O. Battani  
MARIANNE O. BATTANI  
United States District Judge

**STIPULATED TO AND APPROVED BY:**

July 27, 2018

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